

§ 514.10

46 CFR Ch. IV (10-1-98 Edition)

handled by supplements in traditional, page-based tariffs, will be handled procedurally and/or through Tariff Rules, TLI notes, etc.

[57 FR 36271, Aug. 12, 1992, as amended at 57 FR 44509, Sept. 28, 1992; 58 FR 28, Jan. 4, 1993; 58 FR 28790, May 17, 1993; 61 FR 66618, Dec. 18, 1996]

§ 514.10 Other items used throughout ATFI.

(a) *Control dates and history.* Various control dates are used for tariff material filed in and/or retrieved from the ATFI system. The following simulated screen illustrates these dates which are found on many ATFI screens and contains corresponding numbers keyed to explanatory and regulatory subparagraphs within this paragraph (in addition to "Today" which is the date of entry into the system and the screen). For special date provisions applicable to the essential terms of service contracts, see §§ 514.17 (d)(3) to (d)(5).

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[§ 514.10(a)]      Today: 01Jan1992
[Always Today's Date]

[(2)]      Filing date: 01Jan1992
[(3)]      Effective date: 31Jan1992
           [e.g., 30 days' notice]
[(5)]      thru: 01Mar1992
[(4)]      Expiration date: 01May1992
           [for TLI expires (etc).]
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[(1)(i)]-- Access date: 01Jan1992
           [Today's date unless changed]
           [Could be changed to e.g.
           01Dec1991 or 01June1992]
[(1)(ii)] History -Rev +Rev
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(1)(i) *Access date and history.* The default date for the Access date is "Today's date." Interactive ATFI, however, allows the user to set a different, desired access date for retrieving objects within the tariff. See § 514.8(h)(3)(vii). The system will select only tariff items that are in effect on the chosen access date. This allows the user to examine the tariff as it existed on a particular date in the past, or to examine rates and Tariff Rules which have a future effective date.

(ii) *History; -Rev; +Rev.* Similar to the functionality of the Access date,

the following functions are also available on many ATFI screens:

(A) *History.* This function displays the entire list of modifications to a tariff item.

(B) *-Rev.* This function displays the previous revision (one revision at a time) of the tariff item just prior to the date displayed in the effective date field. See paragraph (a)(3) of this section.

(C) *+Rev.* This function displays the next (future) revision of the tariff item according to the date in the effective date field. See paragraph (a)(3) of this section.

(2) *Filing date.* The filing date, or the date any tariff or tariff element is processed by ATFI, is used to determine the beginning of the advance notice period required for various types of tariff material under § 514.9(b). The filing date is determined for each of the three basic types of filing, as follows:

(i) *Interactive.* The interactive filing system enters a filing date (current date) for every tariff object or tariff object update to be filed. Proposed objects with an outdated filing date will not be accepted by interactive ATFI. The day of filing is determined by the time of the "Commit Authorized Filings to ATFI" command at the completion of an interactive filing session and the "Sent" response from the system, indicating completion of that command at the ATFI central site, in local time in the U.S. Eastern Time Zone. The function "FileDate" (or "Default-Dates" or "Defaults") enables the user to update its proposed filing date to match the date of expected transmission of the proposed filing.

(ii) *On-line batch.* Filers will have a filing date automatically assigned to all tariff objects filed according to the start time of the file transfer, for file transfers that are successfully completed, U.S. Eastern Time Zone. On-line batch filers should plan the transmission of filing session files to allow for retransmission(s) starting during the same U.S. Eastern Time Zone date, in case the results of the initial transmission(s) are not successful.

(iii) *In-bulk (tape) batch.* Filers will have a filing date (in local time in the U.S. Eastern Time Zone) assigned to all tariff objects filed according to the

date of delivery of a tape to a designated location. If the date of delivery is a normal Commission work day, the filing date can be that date if the tape is delivered by 5:00 p.m. If the delivery date is not a normal Commission work day, or the tape is delivered after 5:00 p.m. on a normal work day, the filing date may not be until the next Commission work day.

(3) *Effective date.* The Effective date is the date upon which a filed tariff or tariff element is scheduled to go into effect by the filer. It determines the end of the advance notice period required for various types of tariff material under § 514.9(b). Specifically, a tariff provision becomes effective at 12:01 a.m. on the beginning of the effective date. In interactive filing, the Effective date can be changed through "FileDate," etc., as described in paragraph (a)(2)(i) of this section.

(4) *Expiration date.* The Expiration date is the last day, after which the entire tariff or tariff element (e.g., TLI), which is designated to expire, is no longer in effect. After midnight at the end of this day, the current version of the tariff will not include the expired object. In the screen example, the entire item (e.g., TLI) expires on May 1, 1992, leaving no specific rate, which could result in an increase to an NOS rate, for which advance notice from the filing date is required under § 514.9(b). The expired object becomes a part of the history objects for the tariff.

(5) *"Thru" date.* The thru date is the date after which an amendment to a tariff element (e.g., TLI rate) is designated by the filer to be unavailable for use and the previously effective tariff element automatically goes back into effect. After midnight at the end of the Thru date, the previously effective tariff object will resume its effect. Thru-date tariff objects recognize and maintain the validity of the unexpired tariff objects they temporarily supersede during their time of effectiveness. In the screen example, the effective item reverts to the item prior to effectiveness on March 1, 1992, which goes out of existence when expired on May 1, 1992. Where an increase requires an advance notice (e.g., 30 days) under § 514.9(b), a Thru-date item which is:

(i) A decrease when initially effective requires 30 days' notice from the Filing date to the Thru date, irrespective of when it becomes effective (no earlier than Filing).

(ii) An increase when initially effective requires 30 days' notice from the Filing Date to the Effective date, but may revert (Thru date) to the previous item on or after the Effective date.

(b) *Locations and groups.* The names of places entered by filers, such as in origin and destination scopes and TLIs, shall conform in spelling to, and will be validated by, ATFI glossaries.

(1) *Names—(i) Point names.* ATFI recognizes approximately 250,000 world place names.

(ii) *Port names.* ATFI recognizes ocean port names, using spellings concordant with the Point Names list, where there is a corresponding point name.

(2) *Location groups.* In the primary tariff, or in a governing tariff under § 514.12(a)(1)(ii), the filer will have the option to define and create groups of cities, states, provinces and countries (e.g. location groups) or groups of ports (e.g. port groups), which may be used in the construction of TLIs and other tariff objects in lieu of specifying particular place names in each tariff item, or creating multiple tariff items which are identical in all ways except for place names. A partial screen illustrating the locations within an origin port group follows:

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[§ 514.10(b)(2)]
ATFI LOCATION GROUPS

Group: US ATL. PORTS
Port Group: Y
Origin or Dest: O

Origin Ports

BALTIMORE (port), MD, USA
BOSTON (port), MA, USA
JACKSONVILLE (port), FL, USA
MIAMI (port), FL, USA
NEW YORK (port), NY, USA
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(c) *Currency.* ATFI recognizes a large number of foreign currencies for rates and charges. The complete list of

ATFI-recognized currencies is available on-line. Currency conversion rates are maintained and updated in ATFI on a periodic basis; except that these conversion rates are for comparison purposes only, not as official conversion rates for booking or billing. See § 514.8(h)(3)(vi).

(d) *Assessorials and algorithms*—(1) *Requirement*.—(i) *Charges*. Assessorial or accessorial charges, which are to be added to the basic ocean freight rate to calculate the total cost to the shipper, shall be clearly shown through mathematical formulas or algorithms, as further explained in the Batch Filing Guide (as well as in the rest of the User Manual), when the applicability of the additional charge to the basic ocean freight rate can be accurately determined prior to the carrier's receipt of cargo. Examples of the types of assessorial charges that would usually not be determinable prior to cargo shipment or preparation of the Bill of Lading are:

(A) Free Time and Demurrage under e.g., a rule for detention or demurrage on carrier equipment.

(B) Diversion of cargo.

(C) Blocking, bracing, staking, securing or protective-covering charges that cannot be predetermined.

(D) Cargo held by carrier or terminal storage.

(ii) *Precedence*. There should be no conflict between the algorithm and the textual description of the assessorial (if any), but, if there is, the algorithm shall take precedence.

(iii) *Predeterminable charges*. Assessorial charges which can be determined prior to shipment shall be expressed in algorithm form and may be contained in Tariff Rules of tariffs under § 514.15, as well as in commodity descriptions and TLIs of tariffs under § 514.13. Algorithms, including dummy algorithms under paragraph (d)(1)(iv) of this section, are not accommodated in essential terms publications or statements of essential terms under § 514.17.

(iv) *Non-predeterminable charges; null linkage*. Assessorial charges, which can-

not be determined prior to shipment and which are not expressed in the normal algorithm form, shall be set forth in full-text format in the same locations as described in paragraph (d)(1)(iii) of this section. In order to apprise the retriever that such charges may be applicable, however, the filer shall link all of these charges to the appropriate item(s) using null linkage (dummy algorithms), i.e., the algorithm: WHEN—ALWAYS; THEN—NOTHING.

(2) *Overview*. Algorithms are expressed as one or more condition and calculation statement sets. Each set reflects a separate possible condition which may apply, and the means of calculating a tariff additional charge for that condition. A set is composed of a group of condition statements, followed by a group of calculation statements. The allowable condition statements accommodate historically common criteria for the assessment of ocean freight and charges (e.g., "When Destination is 'New York'," "When Container Size is '40Ft'," etc.). These statements, in turn, accommodate historically common factors used in the computation of freight and charges (e.g., weight, volume, origin, container size, etc.).

(3) *Calculation statements*. The calculation statements, listed in the Batch Filing Guide at Appendix B, section 2, include common arithmetic functions, including

addition [$< X > = < A > + < B >$],

subtraction [$< X > = < A > - < B >$],

multiplication [$< X > = < A > \times < B >$] and

division [$< X > = < A > / < B >$], as well as other operations, such as

minimum [$< X > = \text{MIN}(< A >, < B >)$] and

maximum [$< X > = \text{MAX}(< A >, < B >)$] functions.

(4) *Screen illustration*. A partial screen (with pop-up help window), illustrating algorithms with multiple condition sets for a commodity description, follows:

[§ 514.10(d)(4)] ATFI COMMODITY DESCRIPTION	
Number	Commodity Description
Assessorial Charge Calculation	
DESC: House to House Surcharge	
CYCLE: 2 (Define RATING values- wt, vol, etc.)	
SET: (1 of 2)	
WHEN: SERVICE-TYPE is HH	
AND: RATE-BASIS is W	
THEN: RESULT = RATED-WEIGHT x 3.75USD	
SET: (2 of 2)	
WHEN: SERVICE-TYPE is HH	
AND: RATE-BASIS is M	
THEN: RESULT = RATED-VOLUME x 5.00USD	

Between the two (condition) sets, there is an implied "OR" operator (weight "OR" measure). This means that either one or the other of these condition sets must be TRUE in order for the assessorial to apply. After entering the rated weight and volume in these condition sets, the system will process them in the order in which they appear, evaluating whether each is TRUE or FALSE. If TRUE, the assessorial is applicable to the shipment and will be entered onto the main screen where other potentially applicable assessorials (e.g., in different Tariff Rules) will also be processed.

(5) *Application.* For filing, a toggling (on or off) function provides specific application ("linking") of an assessorial to a commodity or Tariff Rule. For retrieving, applicable assessorials are added to the applicable TLI to find the overall cost for the shipment. Before shipment, however, there will be some condition sets where the values are not known (e.g., a surcharge for a non-scheduled port where the ship calls in

an emergency and unloads the shipment). In these cases, assessorials cannot be accurately applied prior to booking or sailing. Nonetheless, filers shall use the null linkage or dummy algorithm functionality to label and link assessorials in full text form to other ATFI objects, such as TLIs and commodities, for the purpose of enabling the retriever to identify all potentially applicable charges.

[57 FR 36271, Aug. 12, 1992, as amended at 58 FR 28, Jan. 4, 1993]

§ 514.11 Organization and tariff records; tariff scope.

(a) *Organization record.* The organization record is the master record for all tariff information in ATFI for a specific firm. Each firm wishing to file tariffs or essential terms must complete and submit an ATFI User Registration Form (exhibit 1 to this part) under §§ 514.4(d) and 514.8(f). Upon Commission approval of organization registration in ATFI, a "shell" organization record, specific to the requestor, is established and contains the organization number, organization name and organization type. The firm's authorized representative can then access the newly established organization record (see partial screen), using the special access Logon ID and password for organizational record maintenance, to file the address for the firm's home office, and complete the affiliations, d/b/a, and publisher lists as appropriate. To maximize security of the data, maintenance (editing) of the organization record will be permitted only through the interactive mode by the individual in the firm holding the special access LOGON ID and password for organization record maintenance. The following simulated screen is indexed to subsequent, explanatory subparagraph (numbers) of this paragraph. As with all ATFI screens, filers shall enter complete and accurate data in all required fields.